

### **REMARKS**

The Office Action dated January 9, 2009 has been received and noted. The above amendments and following remarks are being submitted as a full and complete response thereto. This response is accompanied by a three-month Petition for Extension of Time and the required fee. Authorization is further granted to charge counsel's Deposit Account No. 01-2300, referencing Attorney Docket No. 031187-00002, for any additional fees necessary for entry of this response. Reconsideration of this application is respectfully requested.

By the foregoing amendments, claims 1-4 and 12 have been amended, claims 13-15 have been canceled. Claims 1-12 will be pending upon entry of these amendments.

### **Objections to the Drawings**

The Drawings of the application have been objected to for allegedly failing to show every feature of claims 7-12. Applicants respectfully disagree with this objection and submit that original Fig. 3 and amended Fig. 5 clearly show all features disclosed in claims 7-12. With respect to Fig. 5, the figure has been amended to magnify a portion of the depicted filtering device recited in claims 7-12. The support for this amendment may be found in the original figures 3, 4 and 5. Therefore, no new matter has been added by this amendment.

In particular, claim 7 recites that "the cuff [of the filtering device] has from one to five collars on the external surface thereof," and claim 8 recites that "the cuff has preferably from one to three collars." The support for this subject matter may be found in Fig. 3, which clearly shows the feature of a "cuff" with three "collars" designated by reference numeral 8. Further support may be found in paragraph [0027] of the published application, which discloses that "external surface comprises at least one collar 8 for increasing the reliability of fixing and sealing of the

filtering device.” Accordingly, all features of claims 7 and 8 have support in the Specification and Drawings.

Claim 9 recites that “the lid has a cuff”. Applicants submit that amended Fig. 5 clearly shows such lid with the cuff. The lid is identified by the reference numeral 4 and the cuff is identified by the reference numeral 3. Accordingly, all features of claim 9 have support in the Drawings.

Claims 10-12 recite different numbers of collars on the external surface of the cuff. Again, amended Fig. 5 clearly shows the cuff having three collars as one of the embodiments of the invention (see the amended enlarged portion). Applicants submit that amended Fig. 5 provides sufficient support and enablement for one of ordinary skill in the art to practice the invention without undue experimentation.

Accordingly, Applicants submit that objections to the Drawings should be withdrawn.

#### **Rejections Under 35 U.S.C. § 112**

Claims 1-15 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1-4 and 12 have been amended to correct all identified informalities. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 9-15 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with written description requirement. With respect to claims 9-12, Applicants submit that the rejection should be withdrawn at least for the reasons set forth above with respect to the Drawings of the application. With respect to claims 13-15, the rejection is moot because these claims have been canceled. Accordingly, withdrawal of the rejection is respectfully requested.

**Rejections Under 35 U.S.C. §§ 102 and 103**

Claims 1-5 and 9 were rejected under 35 U.S.C. § 102(b) as being anticipated by Nieweg (US Patent No. 5,049,272), and claims 6-8, 10-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nieweg in view of Serenko et al. (US Patent No. 5,989,424). The rejections are traversed and reconsideration is requested.

Nieweg discloses a filtering device comprising a body filled with a filtering material and having outlets, a lid with openings and fixing means. However, Nieweg does not disclose or suggest "at least one fixing means disposed between the body and the lid, characterized in that the fixing means has at least one valve," as recited in claim 1. In contrast, in Nieweg the fixing means (in fact, it is a sieve) does not comprise a valve, rather it comprises an opening which can pass through not only water and air, but also the filtering material. The filtering material according to Nieweg is stopped by slots in the lid (col. 2 lines 3-9, 47-65, col. 3 lines 4-24, Fig. 3, Fig. 4). Therefore, Nieweg does not disclose that "the fixing means has at least one valve".

Serenko was not cited for nor does it cure the deficiencies of Nieweg. Therefore, claims 1-12 are patentable over Nieweg and Serenko, taken alone or in combination.

**Conclusion**

For all of the above reasons, it is respectfully submitted that claims 1-12 are in condition for allowance, withdrawal of all objections and rejections is respectfully requested and a Notice of Allowability is earnestly solicited.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact the Applicant's undersigned

counsel at the telephone number, indicated below, to arrange for an interview to expedite the disposition of this application.

Respectfully submitted,  
**ARENT FOX LLP**

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Enclosure:  
Petition for Extension of Time (three months)  
Replacement Drawing Sheet (Fig. 5)